

Christopher C. McNatt, Jr. (SBN 174559)
cmcnatt@scopelitis.com
SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY, LLP
2 North Lake Avenue, Suite 560
Pasadena, CA 91101
P: 626-795-4700
F: 626-795-4790

Christopher J. Eckhart (SBN 331414)
ceckhart@scopelitis.com
Angela S. Cash (admitted *pro hac vice*)
acash@scopelitis.com
SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY, P.C.
10 West Market Street, Suite 1400
Indianapolis, IN 46204
P: 317-637-1777
F: 317-687-2414

Jared S. Kramer (admitted *pro hac vice*)
jskramer@scopelitis.com
SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY, P.C.
30 West Monroe Street, Suite 1600
Chicago, IL 60603
P: 312-255-7194
F: 312-422-1224

Attorneys for Defendant,
ITS LOGISTICS, LLC

ADDITIONAL COUNSEL ON FOLLOWING PAGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEITH GUTHRIE, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

ITS LOGISTICS, LLC, a Delaware
Company, and DOES 1 through 20, inclusive;
Defendants.

Case No.: 1:21-cv-00729-AWI-EPG

SECOND STIPULATION AND ORDER TO
CONTINUE DEADLINE TO FILE
SUPPLEMENTAL PAPERS IN SUPPORT
OF MOTION FOR PRELIMINARY
APPROVAL

(ECF No. 34)

Brian J. Mankin, Esq. [CSB No. 216228]

brian@lmlfirm.com

Misty M. Lauby, Esq. [CSB No. 243009]

misty@lmlfirm.com

LAUBY, MANKIN & LAUBY LLP

5198 Arlington Avenue, PMB 513

Riverside, CA 92504

P: 951-320-1444

F: 951-320-1445

Attorneys for Plaintiff,

on a Representative Basis and on behalf of the Putative Class

Counsel for Parties, Plaintiff Keith Guthrie and Defendant ITS Logistics, hereby stipulate that the Court may enter an order continuing the deadline to file supplemental papers in support of the Motion for Preliminary Approval of Class Settlement Agreement that is currently set for October 21, 2022 for thirty (30) days to November 21, 2022.

The parties met and conferred by phone and agree that good cause exists to continue the deadline based on the Declaration of Angela S. Cash attached hereto.

WHEREFORE, the Parties stipulate to continue the deadline to file supplemental papers in support of Plaintiff's motion for preliminary approval to November 21, 2022.

Respectfully submitted,

Dated: October 19, 2022

SCOPELITIS, GARVIN, LIGHT,
HANSON & FEARY, P.C.

BY: 

Christopher J. Eckhart, Esq.
Angela S. Cash, Esq.
Jared S. Kramer, Esq.

SCOPELITIS, GARVIN, LIGHT,
HANSON & FEARY, LLP

BY: Christopher C. McNatt, Jr., Esq.

Attorneys for Defendant
ITS Logistics, LLC

Dated: October 19, 2022

LAUBY, MANKIN & LAUBY LLP

BY: /s/ Misty M. Lauby

Brian J. Mankin, Esq.
Misty M. Lauby, Esq.

Attorneys for Plaintiff

DECLARATION OF ANGELA S. CASH

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2 1. I am an attorney licensed to practice before all of the courts of the State of Indiana and
3 the United States District Court Southern District of Indiana. I am a partner at Scopelitis, Garvin,
4 Light, Hanson & Feary, P.C. I represent the Defendant in this action and am admitted *pro hac vice* in
5 this matter. I am thoroughly familiar with and have personal knowledge of all the facts set forth herein.
6 I handle the day-to-day litigation in this matter. I submit this declaration in support of the Parties'
7 Stipulation to Continue Deadline to File Supplemental Papers in Support of Plaintiff's Motion for
8 Preliminary Approval.

9 2. The Parties herein reached a settlement of the class action on March 8, 2022.

10 3. Thereafter, Plaintiff submitted his Motion for Preliminary Approval of the Class Action
11 Settlement. (ECF Nos. 21, 22, 23).

12 4. The Court held a hearing on August 16, 2022, noting various concerns about the
13 proposed settlement and advised that the parties could address the issues discussed at the hearing in a
14 supplemental filing by no later than September 30, 2022.

15 5. Despite diligent effort to meet this deadline, the Parties were unable to address the
16 numerous issues raised during the hearing and subsequent court order and filed a Stipulation and Order
17 to Continue Deadline to File Supplemental Papers in Support of Motion for Preliminary Approval on
18 September 27, 2022 (ECF No. 32) which was granted on September 28, 2022 (ECF No. 33).

19 6. Counsel for the Parties have continued to meet and confer and work on a joint
20 submission to the Court to address the outstanding issues on the Motion for Preliminary Approval of
21 the Class Action Settlement but need additional time to complete the joint submission. Defendant ITS
22 is also collecting additional information relative to the outstanding issues and requires additional time
23 to complete that process.

24
25 7. Counsel for the Parties have met and conferred by phone and agree that additional time
26 is necessary to address the numerous issues raised during the hearing and subsequent court order.

27 8. Therefore, the Parties have stipulated to continue the deadline for an additional 30 days
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1 to November 21, 2022 to allow time to ensure that all matters are properly addressed.

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3 I declare under penalty of perjury that the foregoing is true and correct and that this declaration
4 was executed on October 19, 2022 in Indianapolis, Indiana.

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7 ANGELA S. CASH
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ORDER

Having read the Second Stipulation to Continue Deadline for Supplemental Papers in Support of Motion for Preliminary Approval and Declaration of Angela S. Cash (ECF No. 34), IT IS ORDERED that the deadline to file supplemental papers in support of Plaintiff's Motion for Preliminary Approval currently set for October 21, 2022, is hereby continued to November 21, 2022.

No further extensions to this deadline will be given.

IT IS SO ORDERED.

Dated: October 20, 2022

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE